IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 898 (S/S) of 2007

Meena Jyoti W/o Shri G.P. Thapaliyal
R/o Line No. 3 Vishnu Puram Colony, Mothrowala,
Dehradun ------Petitioner

Versus

1. State of Uttarakhand through its Secretary School Education, Dehradun
2. Director, School Education, State of Uttarakhand, Dehradun
3. District Education Officer, Dehradun
4. Additional District Education Officer (Basic), Dehradun

------- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri I.P. Gairola, learned counsel for the petitioner and Sri Paresh Tripathi, learned Brief Holder for the state of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has challenged the order dated 23rd June, 2007 passed by Additional District Education Officer (Basic), Dehradun transferring the petitioner, who was working as Assistant Teacher in Junior High School Lachhiwala, Doiwala to Junior High School, Langha Pokhari, Block Kalsi.

The ground on which the petitioner has challenged the impugned order is that since her induction in the service, she has spent maximum period in *Durgam* and *Ati Durgam* area and now she has been again transferred to *Durgam* area from Lachhiwala, where she joined on 1st August, 2006. The transfer of the petitioner was on the ground that she was working in the institution against inconsistent subject.

This Court cannot decide the issue whether the petitioner had worked since her induction in service in *Durgam* and *Ati Durgam* area and further it is also not possible for the Court to find out whether the petitioner has been working at the present place of posting against inconsistent subject or not.

In the circumstances, the petitioner is directed to make representation before the appropriate authority, i.e., respondent no. 4 raising all her grievances and will also submit it to respondent no. 4 to the effect why she was not working against the inconsistent subject and has worked in *Durgam* and *Ati Durgam* area. Respondent no. 4 is also directed to take decision on the representation of the petitioner within a period of three weeks from the date of production of a certified copy of this order along with a representation, if moved by the petitioner.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

17.07.2007
VKS